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I. General information about the State

A. Demographic, economic and social characteristics of the State

1. Demographic characteristics

1. Population dynamics in Mexico have reached an advanced transition stage marked by a shift from high to low birth and mortality rates. This phenomenon has been under way for at least thirty years, but has intensified significantly in the last decade. The decline in both fertility and mortality has contributed to an increase in life expectancy for the Mexican population, but has also led to progressive population ageing.

2. The current demographic situation in Mexico reflects significant changes in phenomena such as fertility, mortality and migration. According to data from the National Institute of Statistics and Geography (INEGI), over the past 65 years the population of Mexico has increased nearly fivefold. In 1950, the population stood at 25.8 million, and by 2015, it had risen to 119.5 million. Of this number, 61.5 million (51.4 per cent) were females and 58 million (48.6 per cent) were males.

Sociodemographic statistics — Population by sex

Year	*Male*	*Female*	*Total*
2000	47 592 253	49 891 159	97 483 412
2005	50 249 955	53 013 433	103 263 388
2010	54 855 231	57 481 307	112 336 538
2015	58 056 133	61 474 620	119 530 753

Source: INEGI twelfth general population and housing census, 2000; second population and housing survey, 2005; population and housing census, 2010; intercensal survey, 2015.

3. The average annual population growth rate for the period 2005-2010 was 1.8 per cent, which was higher than in the previous five-year period, when the rate was 1 per cent. The figure for the period 2010-2015 was 1.4 per cent (INEGI 2015 intercensal survey).

4. An analysis of the population structure by age group shows that the 0-14 age group made up 34.1 per cent of the total national population in 2000; by 2010, the figure had fallen to 29.3 per cent. Persons 60 years of age or older accounted for 7.3 per cent of the total population in 2000; by 2010 the figure had risen to 9.1 per cent. In 2015 the 0-14 age group represented 27.4 per cent of the national population and persons 60 years or older represented 10.4 per cent (INEGI 2015 intercensal survey).

Population distribution by age group and sex

	2000			*2005*			*2010*			*2015*		
Age group	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
Total	**48.79**	**51.21**	**100**	**48.62**	**51.38**	**100**	**48.82**	**51.18**	**100**	**48.57**	**51.43**	**100**
0-4	5.66	5.48	11.14	5.15	4.99	10.14	4.82	4.67	9.49	4.47	4.34	8.81
5-9	5.95	5.80	11.75	5.32	5.15	10.46	5.05	4.91	9.96	4.67	4.53	9.21
10-14	5.70	5.55	11.25	5.52	5.38	10.90	5.00	4.86	9.86	4.75	4.65	9.40
15-19	5.14	5.33	10.47	4.97	5.09	10.06	4.98	4.96	9.94	4.53	4.49	9.02
20-24	4.51	5.00	9.51	4.23	4.69	8.92	4.34	4.58	8.92	4.38	4.55	8.93
25-29	4.05	4.50	8.55	3.79	4.28	8.07	3.79	4.13	7.92	3.70	4.04	7.75
30-34	3.55	3.93	7.48	3.73	4.17	7.90	3.63	4.01	7.64	3.54	3.93	7.48
35-39	3.17	3.49	6.66	3.36	3.72	7.08	3.57	3.90	7.48	3.40	3.81	7.21

	2000			2005			2010			2015		
Age group	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
40-44	2.61	2.83	5.44	2.86	3.13	5.99	3.02	3.30	6.32	3.27	3.60	6.87
45-49	2.05	2.22	4.27	2.38	2.62	4.99	2.55	2.80	5.34	2.69	3.01	5.70
50-54	1.70	1.82	3.52	1.95	2.12	4.07	2.17	2.40	4.56	2.43	2.73	5.15
55-59	1.29	1.39	2.68	1.49	1.61	3.10	1.69	1.83	3.51	1.91	2.15	4.06
60-64	1.10	1.21	2.30	1.24	1.37	2.61	1.33	1.48	2.81	1.53	1.73	3.26
65-69	0.82	0.92	1.74	0.92	1.03	1.95	0.99	1.10	2.09	1.17	1.33	2.50
70-74	0.62	0.69	1.31	0.70	0.79	1.49	0.79	0.90	1.69	0.86	0.99	1.85
75-79	0.43	0.48	0.91	0.49	0.55	1.04	0.52	0.60	1.12	0.59	0.68	1.27
80-84	0.23	0.28	0.51	0.30	0.36	0.65	0.32	0.40	0.72	0.36	0.45	0.81
85 or older	0.22	0.30	0.52	0.24	0.32	0.55	0.27	0.36	0.63	0.30	0.42	0.72

Source: National Institute for Women data calculated on the basis of National Institute of Statistics and Geography (INEGI) twelfth general population and housing census, 2000; second population and housing survey, 2005; population and housing census, 2010; intercensal survey, 2015 (microdata).

5. Between 2005 and 2010, the median age increased for both sexes, rising from 23 to 25 among men and from 25 to 26 among women. In 2015, the median age for both sexes was 27 years (2015 intercensal survey).

6. The federative entities with the highest proportions of children and adolescents in their respective populations are Chiapas (43 per cent), Guerrero (41 per cent), Aguascalientes (39.4 per cent) and Durango, Puebla and Oaxaca (each with 38.8 per cent). Those with the smallest proportions of minors in their respective populations are Mexico City (27.3 per cent), Nuevo León (34.6 per cent), Yucatán (34.8 per cent), Morelos (34.7 per cent) and Baja California Sur (35.3 per cent). In 2015, the federative entity with youngest population structure was Chiapas, with a median age of 23 years, whereas the one with the oldest population structure was Mexico City, with a median age of 33 years (2015 intercensal survey and 2015 Sociodemographic Panorama of Mexico).

7. Fertility is one of the variables affecting population structure. The average number of children born to Mexican women has been declining steadily for the past two decades. The total fertility rate fell from 3.2 children in 1992 to 2.21 in the three-year period 2011-2013. In terms of specific fertility rates, during the same three-year period, women aged 20-24 had the highest rate (126 live births per 1,000 women), followed by women aged 25-29 (113 births per 1,000 women (INEGI and National Population Council (CONAPO)).

8. The birth rate, meanwhile, has fallen more rapidly, owing largely to the increasingly widespread use of contraceptives. In 1990, the birth rate in Mexico was 27.9 births per 1,000 population; by 2006, the figure had dropped markedly, to 21.1, and by 2013, it had decreased to 19 per cent, a reduction of 31.9 per cent in relation to the 1990 rate and of 10 per cent in relation to the 2006 rate. In 2015, the birth rate fell to 18.5 per cent (CONAPO basic demographic indicators for 1990-2010 and population projections for 2010-2050).

9. Infant mortality is one of the main sociodemographic indicators reflecting the living conditions and level of socioeconomic development of a population. For the nation as a whole, this indicator decreased by 38.8 per cent between 2000 and 2013, falling from 20.9 deaths to 12.8 deaths per 1,000 births. The considerable decline in infant mortality in Mexico has been a major factor in the increase in life expectancy. In 2015, the infant mortality rate dropped to 12 deaths of children under the age of 1 year per 1,000 population (CONAPO population projections for 2010-2030).

10. The declines in general mortality and in infant mortality have been reflected mainly in increased life expectancy at birth. Between 1990 and 2013, average life expectancy among the Mexican population rose from 70.4 to 74.5 years, or a total of

4.1 years. Almost everywhere in the world, statistics on life expectancy disaggregated by sex show that women tend to outlive men. In the case of Mexico, in 2015 women lived on average 5.3 years longer than men (CONAPO population projections for 2010-2030).

11. In 2000, life expectancy at birth was 73.2 years (70.5 years for males and 76.1 for females); in 2013, the figure increased to 74.5 years on average (71.7 for males and 77.4 for females). In 2015, average life expectancy at birth increased to 74.9 years (72.3 years for males and 77.7 for females) (CONAPO population projections for 2010-2030).

12. Analysis of the age structure of mortality indicates a shift towards a higher proportion of deaths in the later stages of the life cycle. In early 2000, a total of 437,667 deaths were recorded: 244,302 males, 193,253 females and 112 persons of unspecified gender. In 2015, a total of 655,688 deaths were recorded: 363,732 males, 291,637 females and 319 persons of unspecified gender (INEGI mortality statistics).

13. The mortality rates for 2000 and 2010 were estimated, respectively, at 5.1 and 5.6 deaths per 1,000 population, while for 2013, 2014 and 2015, the rate was 5.7 (CONAPO population projections for 2010-2030).

14. The recent trends in fertility and mortality, in addition to affecting the growth and age structure of the population, explain the gradual ageing of the population that the country is experiencing.

15. Migration is another of the demographic factors contributing to changes in the size, structure and geographic distribution of the population. It is a major phenomenon in Mexico in terms of both movement of people within the country and continuous and growing outward migration, particularly to the United States of America.

16. The number of persons migrating to the United States decreased from 751,000 to 376,000 per year between 2007 and 2010, a reduction of 50 per cent over a three-year period. According to the National Survey of Demographic Dynamics (ENADID), from 2009 to 2014, the net loss of population as a result of international migration was 391,000 persons.

Migration flows between Mexico and the United States of America

(thousands)

Year	*Outward migration to the United States*	*Inward migration from the United States*	*Net migration*
2006	941 048	428 821	-512 227
2007	751 473	393 264	-358 209
2008	604 976	395 459	-209 517
2009	477 223	330 032	-147 191
2010	375 852	280 508	-95 344

Source: Estimates by the Centre for Migration Studies at the National Institute of Migration.

2. Economic characteristics

17. Gross domestic product (GDP):

Quarterly GDP at constant prices

Year	*Quarter*	*Total*
2013	I	0.99
	II	1.75
	III	1.57
	IV	1.14
2014	I	2.28
	II	1.76
	III	2.32
	IV	2.69
2015	I	2.60
	II	2.48
	III	2.70
	IV	2.45
2016	I	2.26
	II	2.58
	III	2.04

Source: INEGI. System of national accounts of Mexico.

18. National consumer price index:

Annual inflation rate, calculated on the basis of the national price and stock index — general index

2003	3.98
2004	5.19
2005	3.33
2006	4.05
2007	3.76
2008	6.53
2009	3.57
2010	4.40
2011	3.82
2012	3.57
2013	3.97
2014	4.08
2015	2.13

Source: Bank of Mexico.

19. Net federal government debt:

Balance — Net federal government debt

	2000	*2005*	*2010*	*2015*
Internal debt				
Net internal debt (pesos)	606 182.2	1 183 310.7	2 808 920.2	4 814 120.1
Gross internal debt (pesos)	675 106.7	1 242 154.1	2 888 277.2	5 074 023.1
Foreign debt				
Net foreign debt (dollars)	51 190.5	53 970.6	52 339.0	82 320.3
Gross foreign debt (dollars)	62 822.0	58 373.6	57 187.0	82 588.3
Total debt				
Net (pesos)	1 096 187.9	1 764 989.6	3 455 678.5	6 230 564.4
Net (dollars)	114 517.9	163 763.1	279 651.3	362 105.3
Gross (pesos)	1 276 451.4	1 871 287.2	3 594 942.7	6 495 078.7
Gross (dollars)	133 349.9	173 625.8	290 921.2	377 478.2

Source: Ministry of Finance and Public Credit.

20. Monetary base:

Monetary base

(millions of pesos)

29 December 2000	208 943.1
30 December 2005	380 033.7
31 December 2010	693 423.2
27 November 2015	1 117 632.9

Source: Ministry of Finance and Public Credit.

21. Net international reserves:

Official reserve assets

(millions of US dollars)

Date	
December 2000	35 585.160
December 2005	74 110.126
December 2010	120 587.482
December 2015	177 596.709

Source: Bank of Mexico.

22. According to the National Occupation and Employment Survey (ENOE), the economically active population accounted for 59.7 per cent of the total population in 2015.

Economic participation of persons 15 years old or older, by age group and sex

	2005			2010			2015		
Age group	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
Total	**79.83**	**40.56**	**58.88**	**79.33**	**43.13**	**60.29**	**77.94**	**43.11**	**59.67**
15-19	47.79	24.12	35.74	47.87	22.49	35.18	40.90	19.44	30.35
20-29	85.61	46.88	64.96	85.13	49.48	66.64	83.77	48.47	65.71
30-39	96.29	50.77	71.47	96.24	54.98	74.19	95.62	56.05	74.55
40-49	95.81	51.67	72.13	95.05	55.94	74.3	94.75	56.92	74.61
50-59	89.35	39.62	62.88	88.69	44.38	64.93	88.50	46.16	65.70
60 or older	54.11	18.17	34.71	52.90	19.90	35.19	51.68	19.37	34.27

Source: National Institute for Women data calculated on the basis of the INEGI national occupation and employment surveys for 2005, 2010 and 2015 (second quarter).

23. In 2016, 96 per cent of the economically active population overall was employed (96.1 per cent of males and 95.8 per cent of females within this population). The proportion of the economically non-active population available for work was 15.4 per cent (18 per cent of males and 14.5 per cent of females within this population) (INEGI-ENOE).

3. Social characteristics

Households and housing

24. According to the 2010 population and housing census carried out by INEGI, there were 28,607,568 inhabited private dwellings,[1] with an average of 3.9 persons per dwelling. With regard to housing conditions, 86.9 per cent of the inhabited dwellings had walls constructed of solid materials, 6.2 per cent had a dirt floor, 88.7 per cent had piped water and 98.3 per cent had electricity. In 2015, there were 31,949,709 private dwellings with an average of 3.7 inhabitants. In terms of housing conditions, 3.6 per cent of these dwellings had a dirt floor, 94.5 per cent had piped water, 93.2 per cent had drainage and 98.7 per cent had electricity (Sociodemographic Panorama of Mexico, 2010 and 2015; INEGI 2015 intercensal survey (basic data sets)).

25. According to INEGI data, the number of Mexican households counted in the 2010 census[2] totalled 28.2 million, 21.2 million of which were headed by men and the remaining 6.9 million by women. Of all households, 64 per cent were nuclear households, 24 per cent were extended households, 1 per cent composite households, 1 per cent co-resident households and 9 per cent one-person households (INEGI).[3] In 2015, there were a total of 31.95 million households; of these, 28.39 million were family homes.[4] Of the total number of households, 22.68 million were headed by men and 9.26 million by women (2015 intercensal survey).

[1] An inhabited private dwelling is defined as a private dwelling which, at the time of the census, had habitual residents who constituted a household. The term also encompasses any enclosure, space, shelter or mobile or makeshift dwelling in which people reside.

[2] A household is defined as a unit consisting of one or more persons who may or may not be related by kinship and who habitually reside in the same private dwelling.

[3] Nuclear households are those formed by a father, a mother and their children or only by a mother or a father with children; a couple living together with no children is also considered a nuclear household. Extended households are those formed by a nuclear family plus other relatives (aunts and uncles, cousins, siblings, in-laws, etc.). Composite households are those formed by a nuclear or extended family, plus persons not related to the household head. One-person households are those composed of a single person or those consisting of two or more persons unrelated to one another.

[4] A non-family household is a household whose members are not related to one another or a person living alone.

Health

26. Between 2010 and 2015, the percentage of persons among the total population who reported that they were affiliated with or eligible to receive benefits from a health-care scheme rose from 64.6 per cent to 82.2 per cent. There are now 98.2 million persons who are covered by some type of health-care scheme.

Estimates of total population and percentage distribution by health-care coverage and institutional provider, community size, sex and five-year age group

	Males	*Females*	*Total*
Total population	**58 056 133**	**61 474 620**	**119 530 753**
Total	**80.55**	**83.71**	**82.18**
Mexican Social Security Institute (IMSS)	40.39	38.09	39.18
Federal and State-level Employees' Social Security and Social Services Institute (ISSSTE)	7.25	8.12	7.71
Petróleos Mexicanos (PEMEX), Ministry of Defence, Ministry of the Navy	1.19	1.12	1.15
People's Health Insurance Scheme or New Generation Medical Insurance	48.88	50.84	49.90
Private institution	3.43	3.12	3.27
Other institution	1.60	1.51	1.55
Not covered	18.87	15.72	17.25
Not specified	0.58	0.56	0.57

Source: INEGI

27. In 2011, males accounted for 56.31 per cent of all deaths, while females accounted for only 43.9 per cent. While that signified a slight change in relation to the figures for 2007 (males 55.38 per cent and females 44.58 per cent), a marked pattern of excess male mortality persists (INEGI). In 2015, a total of 655,688 deaths were registered; of these, 363,732 were of males, 291,637 of women and 319 of persons of unspecified gender (INEGI).

28. Among children under 1 year of age, mortality rates remain high for certain conditions originating in the perinatal period, especially respiratory distress in newborns and other respiratory disorders originating in the perinatal period, , while among preschool-age children, rates remain high for accidents, congenital malformations of the circulatory system, pneumonia and influenza. The main causes of death among children 5 to 14 years of age are motor-vehicle traffic accidents and leukaemia (Ministry of Health).

29. Another area that should be highlighted is the effort being made to prevent high mortality from motor-vehicle traffic accidents and violence among adolescents and young people. Moreover, significant measures have been taken to prevent infectious and parasitic diseases among men between the ages of 25 and 44, including HIV/AIDS (human immunodeficiency virus/acquired immunodeficiency syndrome), which has created new challenges for the Mexican health system.

30. Diseases of the digestive system are becoming increasingly frequent in Mexico, especially among men aged 45 and over and among older adults. These diseases include cirrhosis and other liver diseases, which are closely correlated with the consumption of alcoholic beverages (CONAPO).

31. Pursuant to agreement 5 of the thirtieth regular session of the National Council for Public Security (CNSP), held on 30 June 2011, a group was created to formulate proposals regarding addiction and educational alternatives for young people, the aim being to encourage the federal and state governments to adopt common goals for the prevention and treatment of addiction and to facilitate young people's enrolment in secondary and upper-level secondary education and their integration into the labour market.

Education

32. In 2015, the illiteracy rate among persons 15 years of age or older was 5.5 per cent overall, 2.1 per cent among males and 3.4 per cent among females. The absolute number of illiterate persons was 4,749,057, which is 6.9 per cent fewer than in 2010, when the number was 5,393,665 (2015 intercensal survey). The following tables show key figures for the national education system.

School attendance rate by age group and sex

	2000			*2005*			*2010*			*2015*		
Age groups	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
Total	**64.1**	**61.0**	**62.5**	**67.3**	**65.1**	**66.2**	**67.3**	**66.4**	**66.9**	**67.7**	**66.9**	**67.3**
6-12	93.8	93.8	93.9	96.0	96.1	96.1	96.1	96.4	96.2	97.4	97.6	97.5
13-15	77.7	75.4	76.6	82.4	82.5	82.5	85.3	86.4	85.9	88.2	89.0	88.6
16-18	45.4	44.1	44.8	51.6	51.8	51.7	54.9	56.5	55.7	62.3	62.8	62.5
19-24	21.1	18.4	19.7	24.3	21.9	23.1	25.1	23.7	24.4	28.7	27.1	27.9

Source: National Institute for Women data calculated on the basis of the INEGI twelfth general population and housing census, 2000; second population and housing survey, 2005; population and housing census, 2010; intercensal survey, 2015 (microdata).

33. In 2015, the average number of years of education completed by persons 15 years or older was 9.1 years (9.3 for males and 9.0 for females). This represents an increase in relation to the figure for 2010, when the average number of years of education completed was 8.6 (8.8 for males and 8.5 for females) (2015 intercensal survey).

Average number of years of education completed by persons aged 15 years or older by sex, 2000-2015

Year	*2000*	*2005*	*2010*	*2015*
Total	**7.5**	**8.1**	**8.6**	**9.1**
Male	7.7	8.4	8.8	9.3
Female	7.2	7.9	8.5	9.0

INEGI twelfth general population and housing census, 2000; second population and housing survey, 2005; population and housing census, 2010; intercensal survey, 2015 (microdata).

34. The Mexican education budget increased from 519,023,000,000 Mexican pesos in 2007 to 623,814,220,000 pesos in 2014, of which 384,616,850,000 were allocated to basic education, 84,302,740,000 to upper-level secondary education and 109,822,620,000 to higher education. The remainder was allocated to other educational services. In 2015, 648,139,400,000 pesos were allocated to education.[5]

35. A key indicator of how many children and young people are in school is the net school enrolment rate, which compares the number of students who are at the

[5] Source: http://www.transparenciapresupuestaria.gob.mx/work/models/PTP/Home/Ultimas_Publicaciones/PEF_ciudadano_2015.pdf.

typical age for enrolling in a particular level of education with the total number of persons in that age group, thus indicating the proportion of the official school-age population that is effectively receiving education. According to Ministry of Education estimates, for the 2014-2015 academic year, the net enrolment rate at the primary level was 94.9 per cent of the population between the ages of 3 and 14 years, while the rate at the upper-secondary level was 57 per cent of the population between the ages of 15 and 17 years. An analysis of the net school enrolment rate by sex reveals the extent to which parity has been achieved. At the primary level, the rate for females was 95.7 per cent and that for males was 94 per cent, while at the upper-secondary level, the rate for females was 58.5 per cent and the rate for males was 55.5 per cent.

Poverty and inequality

36. Between 2012 and 2014, the number of people living in poverty increased from 53.3 million to 55.3 million.

Percentage of multidimensional poverty by sex

	2010			*2012*			*2014*		
	Male	*Female*	*Total*	*Male*	*Female*	*Total*	*Male*	*Female*	*Total*
Population living in poverty	46	46.2	46.1	45.1	45.9	45.5	46	46.3	46.2
Population living in moderate poverty	34.7	34.9	34.8	35.3	36	35.7	36.5	36.7	36.6
Population living in extreme poverty	11.3	11.3	11.3	9.8	9.85	9.83	9.43	9.65	9.54
Population experiencing social deprivation	29.1	27.1	28.1	29.9	27.3	28.6	27.3	25.3	26.3
Population experiencing income deprivation	5.65	6.11	5.89	5.76	6.55	6.16	6.65	7.47	7.07
Non-poor, non-deprived population	19.2	20.6	19.9	19.3	20.3	19.8	20.1	20.9	20.5

Source: National Institute for Women data calculated on the basis of National Council on Social Development Policy Evaluation (CONEVAL) poverty measurements for the United Mexican States, 2008 and 2010-2014; online calculation programme available at http://web.coneval.gob.mx/.

37. The original allocation for poverty alleviation programmes in 2014 was 2,670,500,000 pesos. Between January and December of that year, expenditures totalled 2,654,800,000 million pesos, which represents an absolute annual variation of -15.7 per cent with respect to the original amount for the year.[6]

38. Pursuant to the General Act on Social Development, poverty is measured on the basis of two main criteria: (a) household income and (b) social deprivation with respect to education, health care, access to social security, quality and size of housing, access to basic services in housing, access to food; and social cohesion. A decline in the number of people falling into the poorest decile contributed to the reduction of extreme poverty. The figures on poverty and extreme poverty between 2012 and 2014 are largely attributable to changes in income, social deprivation and demographics.

39. Between 2012 and 2014, the number of persons living in poverty increased by 2 million, from 53.3 million to 55.3 million. During the same period, the number of persons living in extreme poverty fell from 11.5 million (9.8 per cent of the total population) to 11.4 million (9.5 per cent of the total population).

[6] Source: http://www.economia.gob.mx/files/transparencia/reglas/pob4it14.pdf.

B. Constitutional, political and legal structure of the State

40. The Constitution establishes that the United Mexican States is a representative, democratic and federal republic composed of 31 states and Mexico City, formerly the Federal District, which is the seat of the federal Government. Each state is free, sovereign and autonomous and has its own constitution.

41. The powers of the federal Government are divided between the executive, legislative and judicial branches. The same separation of powers exists at the local level.

1. Executive branch

42. The President of the Republic heads the executive branch of government and is elected for a six-year term by direct vote of the population over the age of 18. The President chooses his or her own cabinet, which currently comprises 18 ministers (including 3 women) and the Attorney General of the Republic.

2. Legislative branch

43. The legislative branch is made up of the Chamber of Deputies and the Senate. The Chamber of Deputies has 500 members, 300 of whom are elected by direct suffrage and 200 by proportional representation. Deputies are elected for a three-year term and may not seek re-election. The Senate has 128 members: 64 from the majority party, 32 from the leading minority party and 32 representing other parties in proportion to their share of the national vote. Each state is represented by three senators, as is Mexico City (96 senators in total). Senators are elected every six years.

3. Judicial branch

44. The federal judiciary is composed of the Supreme Court of Justice, the Electoral Tribunal, multi-judge and single-judge circuit courts, district courts and the Council of the Federal Judiciary. The Supreme Court has 11 justices (2 of whom are women) and meets in plenary or in chambers.

4. Relations with civil society organizations

45. In Mexico, civil society organizations are recognized under the Federal Act to Promote the Activities of Civil Society Organizations, published in the Official Gazette on 9 February 2004.[7]

46. The National Institute of Social Development is the federal authority responsible for implementing the Act, although the Act itself entrusts other federal administrative agencies and entities with certain functions in relation to the promotion of the activities of civil society organizations, which is viewed as a cross-cutting undertaking for the Government as a whole, not an isolated function of a particular institution. One of the mandates established by the Act is the creation of the Federal Registry of Civil Society Organizations, which serves as a source of

[7] The activities of civil society organizations covered by the Act are: (i) social assistance; (ii) feeding programmes; (iii) civic activities; (iv) legal assistance; (v) support for indigenous communities; (vi) promotion of gender equity; (vii) support for persons with disabilities; (viii) cooperation for community development; (ix) support for the protection and promotion of human rights; (x) promotion of sports; (xi) promotion and provision of health care and other health-related services; (xii) support for environmental protection and promotion of sustainable development at the regional and community levels; (xiii) support in the use of natural resources, protection of the environment, flora and fauna, preservation and restoration of the ecological balance, and promotion of sustainable development at the regional and community levels in urban and rural areas; (xiv) promotion of educational, cultural, artistic, scientific and technological activities; (xv) promotion of actions to improve the population's economic well-being; (xvi) participation in civil protection activities; (xvii) provision of support for the creation and strengthening of organizations engaged in development activities.

reliable information about the number of such organizations operating in Mexico and about their activities.

47. The National Institute of Older Persons is supported by a citizens' council and the Inter-Agency Coordination Council on Older Persons, which aims to follow up on programmes, solicit proposals from the public regarding older persons and submit them to the Executive Board, so that they can be taken into consideration in public policies designed to promote healthy ageing.

5. Incidence of crime and administration of justice

48. Accurate information on victimization is essential in order to estimate the number of crimes committed in a specific geographic area during a given period, which will in turn make it possible to estimate the "dark number" of crimes that go unreported or undiscovered and provide input for additional situation assessments to support the design of strategies and policies aimed at reducing threats to public safety.

49. Quantitative data and qualitative information on crime rates and the consequences and impact of crime on society are necessary to begin identifying specific mechanisms and measures to address the problem. Crime reports at the national level fell from 1,707,441 in 2010 to 1,511,292 in 2015 (Executive Secretariat of the National Public Security System).

6. National prison system

50. The federal prison system has 21 detention centres, including 15 social rehabilitation centres,[8] 1 psychosocial rehabilitation centre, and the Islas Marías complex, which includes 4 more centres.[9]

51. Under the Federal Criminal Code, a prison sentence consists of deprivation of physical liberty. It lasts for a period ranging from 3 days to 60 years, and an additional penalty extending the term of imprisonment may be imposed only when an inmate has committed a new crime while incarcerated. The sentence is to be served in the prisons or other institutions or places designated for that purpose by law or by the authority responsible for enforcing the penalty, in keeping with the judgment rendered.

7. Public perceptions regarding security

52. The National Survey of Victimization and Perception of Public Safety conducted by INEGI in 2016 indicated that 11.4 million households (34 per cent) had at least one member who had been the victim of a crime in 2015; there were estimated to have been 23.3 million crime victims. In March and April 2015, when the survey was conducted, 72 per cent of respondents reported feeling unsafe.

[8] One of these, Federal Social Rehabilitation Centre No. 16, "CPS Morelos", is exclusively for women.

[9] One federal psychosocial rehabilitation centre and the Islas Marías federal penitentiary complex, which includes the "Aserradero" minimum-security social rehabilitation centre, the "Morelos" social rehabilitation centre, the "Bugambilias" social rehabilitation centre and the "Laguna del Toro" maximum-security social rehabilitation centre.

Victimization rate per 100,000 population by federative entity and sex of the victim, 2015

Federative entity	*Overall victimization rate*	*Men*	*Women*
United Mexican States	28 202	30 181	26 467
Aguascalientes	30 721	33 472	28 327
Baja California	30 786	29 854	31 612
Baja California Sur	24 212	24 414	24 001
Campeche	19 469	21 848	17 113
Coahuila de Zaragoza	21 501	22 458	20 592
Colima	24 244	25 014	23 586
Chiapas	14 347	16 477	12 389
Chihuahua	23 993	25 158	22 819
Mexico City	38 475	40 515	36 767
Durango	22 260	23 039	21 545
Guanajuato	28 035	29 417	26 896
Guerrero	31 344	33 505	29 489
Hidalgo	19 245	17 924	20 319
Jalisco	33 800	36 749	31 090
Mexico (State of)	45 795	51 555	40 653
Michoacán de Ocampo	19 784	21 331	18 482
Morelos	29 139	30 151	28 274
Nayarit	19 941	19 736	20 130
Nuevo León	25 203	26 790	23 805
Oaxaca	18 382	18 983	17 871
Puebla	22 959	24 222	21 881
Querétaro	28 128	29 607	26 789
Quintana Roo	29 321	30 808	27 965
San Luis Potosí	21 280	22 086	20 628
Sinaloa	20 263	19 807	20 681
Sonora	29 587	32 865	26 711
Tabasco	25 910	27 216	24 765
Tamaulipas	18 908	17 741	19 921
Tlaxcala	26 905	30 460	23 932
Veracruz de Ignacio de la Llave	18 422	19 060	17 897
Yucatán	20 491	22 355	18 848
Zacatecas	17 635	21 570	14 024

INEGI. National Survey of Victimization and Perception of Public Safety, 2016. National Statistical and Geographical Information System. Information of National Interest.

53. Criminals have diversified their modi operandi, which has enabled them to circumvent the prevention and prosecution capabilities of the institutions responsible for public safety in the country. The Mexican State is therefore of the view that inter-agency and intergovernmental work and coordinated action by authorities of the federal Government, the states, Mexico City (formerly the Federal District) and the municipalities are the backbone of public policy aimed at ensuring the security expected by Mexican society.

54. On 2 January 2013, a decree amending, supplementing and repealing several regulations of the federal administration was published in the Official Gazette. As a result of these changes, the Ministry of Public Security was dissolved, and its

powers were transferred to the Ministry of the Interior through the establishment of the National Security Commission.

55. Mexico has a unified criminal information system that enables the police to access criminal information and records stored in the databases of the police forces and other institutions and organizations involved in public safety. The country's 32 federative entities have access to the unified system, which contains data from police records, judicial and ministerial orders, driving licences, the Public Vehicle Registry, records on stolen and recovered vehicles, prison records, firearm registration records, and fingerprint and voice records, among other sources.

II. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

56. Mexico is a party to the nine core international human rights instruments and six of their optional protocols.[10] It also recognizes the competence of the human rights treaty bodies to receive individual complaints and communications[11] and to conduct investigations.[12] Mexico complies with its obligation to submit periodic reports and has sought to respond appropriately to the observations and recommendations made by the treaty bodies. Mexico is also a party to other relevant instruments concerning international humanitarian law, refugees, stateless persons, international criminal law and the right to work, and to various conventions of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

57. It is likewise a party to the main inter-American human rights instruments, and in 1998 it accepted the jurisdiction of the Inter-American Court of Human Rights. Mexico takes part in legal actions filed within the inter-American system, favouring amicable settlements, while also offering victims additional avenues of redress. It has also taken steps to put in place an effective system of protective and interim measures at the federal and state levels.

[10] Optional Protocol to the International Covenant on Civil and Political Rights (concerning individual communications), Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on individual communications and the methods of examining them, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

[11] The Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on the Rights of Persons with Disabilities, the Committee on Enforced Disappearances and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

[12] The Committee on the Elimination of Discrimination against Women and the Committee against Torture.

58. The human rights treaty obligations of Mexico are shown in the following table.

Principal human rights treaties to which Mexico is a party	*Year of entry into force, year of ratification by Mexico and number of States parties*
International human rights system	
International Covenant on Civil and Political Rights	Year of entry into force: 1976 Year of ratification by Mexico: 1981
International Covenant on Economic, Social and Cultural Rights	Year of entry into force: 1976 Year of ratification by Mexico: 1981
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Year of entry into force: 1987 Year of ratification by Mexico: 1986
International Convention on the Elimination of All Forms of Racial Discrimination	Year of entry into force: 1969 Year of ratification by Mexico: 1975
Convention on the Elimination of All Forms of Discrimination against Women	Year of entry into force: 1981 Year of ratification by Mexico: 1981
International Convention for the Protection of All Persons from Enforced Disappearance	Year of entry into force: 1981 Year of ratification by Mexico: 2008
Convention on the Rights of the Child	Year of entry into force: 1990 Year of ratification by Mexico: 1990
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Year of entry into force: 2003 Year of ratification by Mexico: 1999
Convention on the Rights of Persons with Disabilities	Year of entry into force: 2008 Year of ratification by Mexico: 2007
International Convention for the Protection of All Persons from Enforced Disappearance	Year of entry into force: 1980 Year of ratification by Mexico: 2008
Inter-American human rights system	
Inter-American Convention on Forced Disappearance of Persons	Year of entry into force: 2010 Year of ratification by Mexico: 2008
American Convention on Human Rights (Pact of San José)	Year of entry into force: 1978 Year of ratification by Mexico: 1981
Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará)	Year of entry into force: 1994 Year of ratification by Mexico: 1998
Inter-American Convention on Forced Disappearance of Persons	Year of entry into force: 1996 Year of ratification by Mexico: 2002

Principal human rights treaties to which Mexico is a party	*Year of entry into force, year of ratification by Mexico and number of States parties*
Inter-American Convention to Prevent and Punish Torture	Year of entry into force: 1987 Year of ratification by Mexico: 1987
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador)	Year of entry into force: 1999 Year of ratification by Mexico: 1996
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	Year of entry into force: 1990/upon accession Year of ratification by Mexico: 2007
Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities	Year of entry into force: 2001 Year of ratification by Mexico: 2000

59. The table below contains information on the ratification status of the other international instruments to which Mexico is a party, in particular (i) the conventions of the Hague Conference on Private International Law and (ii) the Geneva Conventions and other treaties on international humanitarian law.

Instrument	*Ratification*
Convention on the Civil Aspects of International Child Abduction	20 June 1991
Convention on Protection of Children and Cooperation in respect of Intercountry Adoption	14 September 1994
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention)	29 October 1952
Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention)	29 October 1952
Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)	29 October 1952
Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I)	10 March 1983
Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the adoption of an additional distinctive emblem (Protocol III)	7 July 2008
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention on Landmines)	9 June 1998
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	8 April 1974

Instrument	*Ratification*
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW)	11 February 1982
Protocol on Non-Detectable Fragments (Protocol I to CCW)	11 February 1982
Protocol on Prohibitions and Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II to CCW)	11 February 1982
Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III to CCW)	11 February 1982
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction	29 August 1994
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction	9 June 1998
Convention on Cluster Munitions	6 May 2009
International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138)	10 June 2015

60. The periodic reports submitted by the Government of Mexico since 2007, in response to the observations and recommendations made by the treaty bodies, are listed below.

Reports of Mexico submitted and reviewed, 2007-2016

1. Fifth periodic report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/MEX/5) (submitted in July 2008 and reviewed in March 2010).

2. Combined fifth and sixth periodic reports on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/MEX/5-6) (the report is being drafted and will be submitted in the first half of 2015).

3. Initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/MEX/1) (submitted in October 2008 and reviewed in January 2011).

4. Initial report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/MEX/1) (submitted in November 2008 and reviewed in January 2011).

5. Second periodic report on the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW/C/MEX/2) (submitted in January 2010 and reviewed in March 2011).

6. Combined sixteenth and seventeenth periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/MEX/16-17) (submitted in June 2010 and reviewed in February 2012). A follow-up report on the recommendations made in paragraphs 10 (on Afro-descendants) and 17

Reports of Mexico submitted and reviewed, 2007-2016

(on the right to consultation) of the Committee's concluding observations was prepared and submitted in November 2013 (CERD/C/MEX/CO/16-17/Add.1).

7. Combined seventh and eighth periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/MEX/7-8) (submitted in October 2010 and reviewed in July 2012). Information in follow-up to the concluding observations of 2012 (CEDAW/C/MEX/CO/7-8/Add.1) will be submitted to the Committee on the Elimination of Discrimination against Women in March/April 2015.

8. Combined fifth and sixth periodic reports on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT/C/MEX/5-6) (submitted in March 2011 and reviewed in October/November 2012). A follow-up report (CAT/C/MEX/CO/5-6/Add.1) on the recommendations made by the Committee after reviewing the combined fifth and sixth periodic reports was prepared and submitted in December 2013.

9. Initial report on the implementation of the Convention on the Rights of Persons with Disabilities (CRPD/C/MEX/1) (submitted in April 2011 and reviewed in September 2014).

10. Fourth and fifth periodic reports on the implementation of the Convention on the Rights of the Child (CRC/C/MEX/4-5) (submitted in July 2012, addendum submitted in July 2014; both documents will be reviewed in May 2015).

11. Report on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (CED/C/MEX/1) (submitted in March 2014 and reviewed in February 2015).

12. Universal periodic review (UPR) mechanism:

(a) First report of Mexico under the universal periodic review (A/HRC/WG.6/4/MEX/1) (submitted in November 2008 and reviewed on 10 February 2009). Addendum submitted in June 2009.

(b) Second report of Mexico under the universal periodic review (A/HRC/WG.6/17/MEX/1) (submitted in July 2013 and reviewed in October 2013). Addendum submitted in March 2014

13. Initial report on the implementation of the first grouping of rights of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador): the right to health, the right to social security and the right to education, submitted in April 2015.

14. Combined fifth and sixth periodic reports on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/MEX/5-6), submitted in June 2016.

61. Since 2001, Mexico has maintained an open and standing invitation to all international human rights mechanisms, both global and regional, to visit the country. To date, it has received visits from representatives of several human rights mechanisms, as well as the Office of the United Nations High Commissioner for Human Rights (OHCHR). The country's openness to international scrutiny also extends to civil society.

62. Since 2012, Mexico has received visits from the following United Nations mechanisms:

(1) The Working Group on the issue of human rights and transnational corporations and other business enterprises (29 August-7 September 2016).

(2) The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (21 April-2 May 2014).

(3) The Special Rapporteur on extrajudicial, summary or arbitrary executions (22 April-2 May 2013).

(4) The Special Rapporteur on the right to food (14 November 2012).

(5) The Special Rapporteur on extrajudicial, summary or arbitrary executions (22 April-2 May 2012).

(6) The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (7 February 2012).

63. Since 2012, Mexico has hosted the following official visits by the Inter-American Commission on Human Rights of the Organization of American States:

(1) Forty-eighth special session of the Inter-American Court of Human Rights (7-11 October 2013).

(2) Session of the Inter-American Commission on Human Rights (11-15 August 2014).

(3) Rapporteur on Mexico and on the Rights of Persons Deprived of Liberty of the Inter-American Commission on Human Rights (17-19 September 2014).

(4) Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights (17-19 September 2014).

(5) Rapporteur on Mexico and on the Rights of Persons Deprived of Liberty of the Inter-American Commission on Human Rights (22-25 September 2015).

(6) On-site visit of the Inter-American Commission on Human Rights (22-25 September 2015).

(7) Special session of the Inter-American Court of Human Rights (23-26 August 2016).

64. In addition, United Nations High Commissioners for Human Rights have made the following visits to Mexico:

(1) Visit by the United Nations High Commissioner for Human Rights, Mr. Zeid Ra'ad Al Hussein (4-7 October 2015);

(2) Visit by the United Nations High Commissioner for Human Rights, Ms. Navi Pillay (2-9 July 2011);

(3) Visit by the United Nations High Commissioner for Human Rights, Ms. Louise Arbour (5-8 February 2008) on the occasion of the signing of the agreement between the Office of the United Nations High Commissioner for Human Rights and the United Mexican States on the continuation of its activities in Mexico;

(4) Visit by the United Nations High Commissioner for Human Rights, Ms. Louise Arbour (30 June-1 July 2005);

(5) Visit by the United Nations High Commissioner for Human Rights, Ms. Mary Robinson (30 June-2 July 2002), on the occasion of the signing of the agreement between the Office of the United Nations High Commissioner for Human Rights and the Government of the United Mexican States on the establishment of an office in Mexico;

(6) Visit by the United Nations High Commissioner for Human Rights, Ms. Mary Robinson (2 December 2000), on the occasion of the signing of the technical cooperation agreement with Mexico.

65. Similarly, many international NGOs have visited Mexico: Amnesty International (August 2007, September 2008, January and June 2009 and February 2014); Article 19 (2013); an international mission for the documentation of attacks against journalists and the media (April 2008); Human Rights Committee of the Bar of England and Wales (November 2009); Peace Brigades International (November 2010); Committee to Protect Journalists (June 2008 and September 2010); Human Rights Watch (February 2008, April and October 2009, February and December 2010 and November 2011); Consejo General de la Abogacía Española (General Council of Spanish Lawyers) (October 2009); Nobel Women's Initiative (February 2010 and November 2014); Inter-American Press Association (March 2007 and September 2010); and Comisión Civil Internacional de Observación por los Derechos Humanos (International Civil Commission for Human Rights) (February 2008), among others.

66. In 2002, at the invitation of the Government, the Office of the United Nations High Commissioner for Human Rights established an office in Mexico. The Office's contributions have included an assessment of the human rights situation in Mexico in 2003 and advisory support for the development of the National Human Rights Programme 2008-2012. The Office maintains agreements and extensive contacts with the executive, legislative and judicial branches, as well as with state governments, academic institutions and civil society organizations.

67. The International Committee of the Red Cross set up an office in Mexico in 1998; it became a regional office in 2002.

68. In the Human Rights Council and the United Nations General Assembly, Mexico promotes the highest international human rights standards, encourages participation by civil society organizations and supports gender mainstreaming. It puts forward initiatives on the human rights of migrants, persons with disabilities and indigenous peoples and on the promotion and protection of human rights and fundamental freedoms in the context of counter-terrorism activities, the elimination of discrimination against women, birth registration, the right to be recognized as a person before the law and, recently, on combating the bullying of and violence against children.

69. The Government of Mexico recognized the jurisdiction of the Inter-American Court of Human Rights through a decree published in the Official Gazette on 24 February 1999. Hence, Mexico recognizes as fully and legally binding the jurisdiction of the Inter-American Court in matters relating to the interpretation or application of the American Convention on Human Rights.

B. Legal framework for the protection of human rights at the national level

70. The Government of Mexico is firmly convinced that the consolidation of democracy hinges on recognition and unconditional respect for human rights as the only way to achieve comprehensive development and genuine well-being for every individual and for society as a whole.

71. Mexico has an extensive legal and institutional framework for the protection of human rights, which has evolved and become stronger as a result of a national and international social dynamic characterized by growing dialogue between civil society and the Government. This has, over the last decade, led to greater collective and individual awareness of the importance of promoting, protecting and ensuring respect for human rights.

72. The Mexican Government has placed human rights on its domestic and international public agenda. It thus launched a process of significant change in the

country's political life, which has led to considerable progress with respect to the legal and institutional framework for the protection of human rights.

73. In the last decade, the Constitution[13] has been amended a number of times to respond to the population's needs. Key amendments during the period include, in chronological order: reform of the juvenile justice system (art. 18, 2005);[14] abolition of the death penalty (art. 22, 2005);[15] establishment of the foundations and principles for the exercise of the right of access to information (art. 6, 2007); recognition of the right to protection of personal information (art. 16, 2009);[16] the introduction of reparation mechanisms (art. 17, 2010);[17] the establishment of the offence of trafficking in persons (art. 19, 2010);[18] establishment of the principle that the State must act in the best interests of the child (art. 4, 2011);[19] recognition of the right to food (art. 4, 2011)[20] and of the State's responsibility to ensure the right to water and a healthy environment (art. 4, 2011);[21] the extension of free and compulsory basic education to include upper secondary school (art. 3, 2012);[22] the addition of offences that undermine the right to information or freedom of expression and of the press to the ordinary offences dealt with by the federal authorities (art. 73);[23] establishment of the institutional basis for ensuring high-quality education (art. 3, 2013);[24] explicit recognition of the universal right to an identity and to be registered at birth (art. 4, 2014);[25] increase of the minimum working age from 14 to 15 years (art. 123, 2014);[26] recognition of the right of indigenous women and men to vote and to be elected on an equal basis and their right to access and hold public or elected office (art. 2, 2015);[27] and authorization of Congress to adopt general laws establishing offences and penalties in relation to enforced disappearance, other forms of deprivation of liberty and torture and other cruel, inhuman or degrading treatment or punishment (art. 73, 2015).[28]

74. Three major constitutional amendments are worthy of particular note for their positive impact on human rights: the reform of the public safety and criminal justice systems (2008), the reform of *amparo* proceedings (2011) and human rights reform (2011). The gradual implementation of these reforms will lead to significant progress in aligning domestic law with international human rights law.

[13] The Constitution may be found at: http://www.ordenjuridico.gob.mx/Constitucion/cn16.pdf.
[14] The amendment to article 18 available at: http://www.ordenjuridico.gob.mx/Publicaciones/CDs2009/CDConstitucion/html/r-165.html.
[15] The amendment to article 22 available at: http://www.ordenjuridico.gob.mx/Publicaciones/CDs2009/CDConstitucion/html/r-164a.html.
[16] The amendment to article 16 available at: http://www.ordenjuridico.gob.mx/Publicaciones/CDs2009/CDConstitucion/html/r-187.html.
[17] The amendment to article 17 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/DEC29710.doc.
[18] The amendment to article 19 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/DEC29710.doc.
[19] The amendment to article 4 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/ DECB121011.doc.
[20] The amendment to article 4 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/ DEC13102011.doc.
[21] The amendment to article 4 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/ DEC08022012.doc.
[22] The amendment to article 3 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/ DEC09022012.doc.
[23] The amendment to article 73 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/DEC25062012.doc.
[24] The amendment to article 3 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/o1050673.doc.
[25] The amendment to article 4 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/DEC18062014.doc.
[26] The amendment to article 123 available at: http://www.ordenjuridico.gob.mx/Constitucion/reformas/DEC20062014.doc.
[27] The amendment to article 2 available at: http://www.ordenjuridico.gob.mx/Documentos/Federal/wo103033.doc.
[28] The amendment to article 73 available at: http://www.ordenjuridico.gob.mx/Documentos/Federal/wo104305.doc.

75. These constitutional amendments and legislative advances are a significant first step in what will undoubtedly be a long process that will require profound changes in the structure and operations of the State apparatus. Nevertheless, while the advances in strengthening the legal framework for the protection of human rights in Mexico should be celebrated as a triumph achieved through the efforts of both government and civil society, continued progress will require joint effort and cooperation by all stakeholders.

76. A human rights reform published in the Official Gazette on 18 June 2008 laid the groundwork for the establishment of a new criminal justice system in Mexico, one in which the rights of both victims or injured parties and the accused are respected, thereby strengthening due process. Under this constitutional reform, the deadline for implementing the new adversarial criminal justice system throughout the country was 18 June 2016.

77. Thanks to the coordination and joint effort of authorities at the three levels of government, the new model for security and for the administration and delivery of justice has become operational throughout the country within the allotted time. It provides Mexicans with a more transparent and efficient justice system, staffed by skilled professionals, which will ensure due process and respect for human rights. One of the keys to the achievement of this institutional transformation is the police force at the three levels of government. The implementation of the adversarial criminal justice system has brought to the fore the role of the police as first responders, or in other words as the first authority to handle a potential offence and to be in contact with the public as part of efforts to protect people's rights. Police officers are thus the first link in the chain of criminal proceedings aimed at ensuring effective justice.

78. In this context, federal, state and municipal institutions have made the commitment to ensure that every police officer has the skills and abilities required under the National Code of Criminal Procedure and the Constitution.

79. The reform launched a transition from an inquisitorial criminal justice system to an adversarial one with oral trials. Such a shift calls for acceptance of the principle that an accused person is presumed to be innocent until he or she has been found guilty by judgment of the court hearing the case. Other changes include: recognizing the right of the accused to choose to make a statement or to remain silent and prohibiting all incommunicado detention, intimidation and torture; establishing the inadmissibility of any confession made without the assistance of legal counsel and any evidence obtained in violation of the fundamental rights of the accused; ensuring a prompt trial, in accordance with the nature of the offence; establishing the defendant's right to, and the State's obligation to ensure, an adequate defence; recognizing the right of the accused to be tried in open court; limiting the time the accused can be held in pre-charge detention (*arraigo*); appointing supervisory judges; defining the concept of flagrante delicto; establishing the requirement that prosecutors must obtain search warrants from a judicial authority; and regulating private communications. In addition, the reform adopted in 2008 provided for alternative dispute resolution mechanisms in criminal matters, established rules regarding reparation in criminal matters, transformed the social rehabilitation system and established the principle that punishment must be in proportion to the crime or the legally protected interest in question.

80. The National Act on Alternative Dispute Settlement Mechanisms in Criminal Matters, which requires the Attorney General's Office to establish a body specialized in alternative dispute settlement mechanisms in criminal matters, was published in the Official Gazette on 29 December 2014. Pursuant to the Act, a draft agreement on the establishment of the specialized body was developed between January and March 2015, and on 15 January 2016 the agreement establishing the decentralized administrative body specializing in alternative dispute settlement mechanisms in criminal matters was published in the Official Gazette. On 21 August 2015, the National Conference of State Attorneys General adopted guidelines for the

training, evaluation, certification and recertification of facilitators of the bodies specializing in alternative dispute settlement mechanisms in criminal matters within judicial institutions at the federal and state levels.

81. In order to harmonize the rights of persons involved in criminal proceedings nationwide, on 8 October 2013, Congress was given the authority to enact a single set of laws on criminal procedure, alternative dispute settlement mechanisms, sentence enforcement and juvenile criminal justice[29] applicable throughout the country in federal and ordinary courts.

82. As mentioned above, another example of legislative progress in the area of human rights is the reform of the constitutional provisions relating to *amparo* proceedings through the new *Amparo* Act. This reform, published in the Official Gazette on 6 June 2011, introduced amendments to articles 94, 103, 104 and 107. Its importance lies in the changes made to the scope of the protection provided under the writ of *amparo*, which previously was limited to the protection of individual rights but now encompasses the human rights enshrined in the Constitution and all relevant international instruments to which Mexico is a party. The reform also paves the way for collective *amparo* actions, since it extends protection to people other than those directly affected by replacing the current requirement of a "legal interest" (a direct, personal interest) in order to institute *amparo* proceedings with a requirement of a "legitimate interest" (individual or collective legal interest).

83. As a result of this reform, in most cases *amparo* actions will now apply generally to anyone meeting certain criteria and will not be restricted to the party instituting the action. The reform envisages that a writ of *amparo* can be used to protect people against general rules, acts or omissions by public authorities or private parties, regardless of whether the action is filed individually or jointly by two or more people, thus developing the concept of collective interest, which is fundamental to the effective protection of social rights. The reform also provides for sanctions to ensure more effective enforcement of judgments, including the removal or criminal prosecution of an official or authority who fails to comply with an *amparo* decision.

84. Moreover, the *amparo* reform establishes that the Congress must introduce any necessary amendments to secondary legislation arising from the constitutional reform within four months of its publication in the Official Gazette. The aim of this reform is to ensure that all members of society are able to benefit from the administration of justice and constitutional protections and to strengthen the capacity of judicial institutions to protect and uphold the human rights enshrined in the Constitution and in international instruments. The Supreme Court hears constitutional challenges and unconstitutionality actions.

85. The constitutional reform enacted on 10 June 2011 represents an important advance with respect to human rights and clearly demonstrates the State's respect for and recognition of these rights. The reform introduced amendments to articles 1, 3, 11, 15, 18, 29, 33, 89 and 102 of the Constitution.

86. Title 1 of the Constitution, which concerns human rights, establishes that all persons under the jurisdiction of the State are entitled to full enjoyment of the human rights recognized by the Constitution and by the international human rights treaties to which Mexico is a party. The reform mandates the inclusion of human rights in public education and establishes the obligation of the authorities to promote, respect, protect and uphold those rights.

87. The reform regulates the restriction of human rights, prohibits their suspension and establishes the rights that may not be restricted under any circumstances. It also amends the constitutional provisions concerning the rights of non-nationals, establishing that they shall enjoy the rights granted to them by the Constitution,

[29] Amendment of 2 July 2015.

including the right of asylum and the right to a hearing before the executive branch may exercise its power to expel them.

88. Lastly, the constitutional reform affords protection to agencies working to protect human rights. Mexican authorities must now disclose their reasons for failing, in a particular situation, to follow the recommendations issued by such agencies. Similarly, each state must ensure that its human rights agencies have budgetary autonomy, legal personality and their own resources. Additionally, the reform envisages participation by society in the election of the members of the National Human Rights Commission, which is empowered to investigate, when deemed appropriate or when requested by the executive branch, acts potentially constituting serious violations of human rights.

89. The National Human Rights Commission, established in 1990, has "A" status and is in line with the Paris Principles. An additional 32 human rights institutions have been set up in the federative entities and the Federal District (now Mexico City). The constitutional amendments in the field of human rights in 2011 enhanced the autonomy of the public human rights bodies of the federative entities by requiring local legislatures to ensure that these bodies enjoy administrative and budgetary autonomy, legal personality and their own resources.

90. One noteworthy legislative change is the publication in March 2014 of the National Code of Criminal Procedure, which repealed the 33 codes that had previously been in force in the country and that had established different rules for criminal proceedings. The Code will apply nationwide, thus harmonizing criminal procedure rules. Also of note are the various amendments to the Federal Criminal Code, including one adopted in 2013, which gave the federal executive branch the authority to grant pardons for any federal or ordinary offence committed in Mexico City when there is solid evidence of serious violations of the human rights of the convicted person. Of particular interest is the amendment of August 2010, which broadened the scope of compensation for violations of the freedom of personal development, personal freedom and normal psychosexual development. It also ruled out the possibility of parole for persons convicted of corruption, pornography, sex tourism, paedophilia and procuring for prostitution involving persons under 18 years of age, and it classified corruption, pornography, sex tourism, paedophilia and procuring for prostitution involving persons under 18 years of age as serious crimes.

91. A decree amending article 73 of the Constitution was published in the Official Gazette in October 2013. It empowers the federal authorities to try offences under ordinary law when they are linked to federal crimes or offences committed against journalists, or other persons or facilities, that affect, limit or impair the right to information or freedom of opinion and expression

92. The rights enumerated in the Constitution have been fully incorporated into the constitutions of the country's 32 federative entities, either through a clause expressly incorporating federal constitutional rights or right conferred by international treaties or through an extensive list of recognized rights. A number of challenges remain, however, with regard to the harmonization of the provisions of state constitutions and legislation on human rights.

93. The death penalty was abolished in 2005 through amendments to articles 14 (2) and 22 (1) of the Constitution. The death penalty has not been applied in Mexico since 1961, and as part of the strengthening of human rights, on 16 April 2004 the Senate adopted an amendment removing it from the Code of Military Justice. In 2007, Mexico deposited its instrument of ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, adopted in New York on 15 December 1989, which establishes the commitment of States parties to the Protocol not to execute any person under their jurisdiction and to take all necessary measures to abolish the death penalty in their jurisdiction.

C. Legal framework for the protection of human rights at the national level

94. Major achievements made in response to observations and recommendations include the constitutional amendments relating to human rights introduced in 2011. These amendments fully incorporated the concept of human rights into the Constitution and gave constitutional status to the human rights enshrined in international treaties to which Mexico is a party. They reflect the obligation of the State to prevent and investigate human rights violations, to punish the perpetrators of such violations and to provide redress. They also establish the obligation of the authorities to promote, respect, protect and uphold these rights.

95. As part of the 2011 constitutional reform of *amparo* proceedings, the rights system and access to justice were expanded. The reform introduced the concept of legitimate interest, whereby any person who considers his or her rights to have been violated may petition for a writ of *amparo* and protection in federal court, without having to demonstrate that he or she has legal standing in the matter. It also made the remedy of *amparo* available in cases of omission by the authorities or the infringement of collective interests, and it empowered the Supreme Court to issue generally applicable rulings of unconstitutionality when a given law has been held to be unconstitutional in more than one court decision.

D. Reporting process at the national level

96. Under goal 1 ("Mexico at Peace") of the National Development Plan 2013-2018, which the federal administration is required to implement, one of the priority objectives of the Government is to develop a State policy on human rights that ensures that all authorities commit themselves to respecting and safeguarding human rights as a daily practice.

97. As part of its efforts to strengthen respect for human rights in the country, the Government published the National Human Rights Programme 2014-2018 in the Official Gazette of 30 April 2014. The Programme was developed following an inclusive consultation process in connection with which a network of 45 agencies and institutions of the federal administration was set up and consultations were held with civil society. This work formed the basis for the creation of an advisory task force.

98. The National Human Rights Programme includes an assessment of the issues, causes and effects related to the human rights situation in Mexico and sets out five objectives comprising strategies, lines of action, indicators and targets. The objectives are to: (i) ensure the effective implementation of the constitutional reform in the area of human rights; (ii) prevent human rights violations; (iii) guarantee the exercise and enjoyment of human rights; (iv) strengthen the protection of human rights; and (v) ensure good coordination among the actors involved in the State policy on human rights.

99. Implementation of the Programme is mandatory for all agencies of the federal administration within their areas of responsibility. The Ministry of the Interior is responsible for periodically assessing the progress made under the Programme, the results achieved and the Programme's impact on the achievement of the objectives of the National Development Plan. This obligation extends to semi-public entities, which are coordinated by the Ministry in accordance with applicable legal provisions.

100. The Commission on Government Policy on Human Rights was established on 11 March 2003 to coordinate the activities of the entities and agencies of the federal administration with regard to human rights at the national and international levels. The Commission is a standing body that serves as a forum for dialogue between

federal agencies and civil society organizations for the formulation of public policies on human rights.

101. At a meeting on 18 December 2008, the members of the Commission agreed to establish the Subcommittee for Monitoring and Evaluation of the National Human Rights Programme. The Subcommittee comprises four working groups — which are responsible for monitoring and evaluating work undertaken in respect of each of the Programme's objectives — and a technical group. The Subcommittee was formally established on 29 January 2009 and is made up of 38 federal government institutions and 25 civil society organizations.[30]

102. In addition, the Federal Institute for Access to Public Information was established in 2003 to ensure universal access to public information and to foster a culture of transparency and accountability in public affairs.

E. Reporting process at the national level

103. Mexico has always complied with the guidelines for reporting to the treaty bodies of the United Nations in keeping with its obligations as a State party to the various international instruments which it has signed and ratified.

104. The lead agency in the subject area concerned has primary responsibility for producing the country's report to the respective treaty body, although the Ministry of Foreign Affairs plays a supporting role in compiling the reports and in some circumstances functions as the lead agency, such as, for example, in the case of the reports to the Committee on Economic, Social and Cultural Rights and to the Human Rights Council for the universal periodic review process.

III. Information on non-discrimination and equality

105. For the Government of Mexico, protection and promotion of the human rights of individuals and, especially, the elimination of all forms of discrimination are priorities.

106. Mexico has signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination. The Convention was adopted and opened for signature and ratification by the General Assembly of the United Nations on 21 December 1965. In accordance with its article 19, the Convention entered into force on 4 January 1969. Mexico signed it on 1 November 1966 and ratified it on 20 February 1975.

107. On 16 September 1996, Mexico accepted the amendments to article 8 of the Convention, adopted on 15 January 1992 during the Fourteenth Meeting of States Parties to the Convention.

108. Mexico has recognized the competence of the Committee on the Elimination of Racial Discrimination under the procedure referred to in article 14 of the Convention. The decree approving its declaration to that effect was published in the Official Gazette on 17 January 2002.

109. To date, the Government of Mexico has duly submitted all its periodic reports on implementation of the Convention. The most recent were the combined sixteenth and seventeenth periodic reports, submitted in June 2010 and reviewed in February 2012.

110. The fight against discrimination is an essential aspect of the effort to consolidate democracy in Mexico. Accordingly, the Government has promoted legislative, judicial, administrative and other measures in order to address the

[30] Additional information available at: http://www.derechoshumanos.gob.mx/es/Derechos_Humanos/Comision_de_Politica_Gubernamental_en_Materia_de_Derechos_Humanos.

discrimination that is acknowledged to exist in the country. The purpose of the legislative reforms against discrimination introduced to date has been to put in place protection mechanisms designed to eliminate long-standing forms of discrimination and at the same time to prevent and neutralize the negative effects of more recent events and issues. Mexican law prohibits all forms and manifestations of discrimination, including racial discrimination and xenophobia.

111. An amendment to article 1 of the Constitution, published on 14 August 2001, added a third paragraph containing a clause prohibiting discrimination on grounds of ethnic or national origin, sex, age, disability, social status, health status, religion, opinions, preferences, marital status or any other form of discrimination that might undermine human dignity or seek to nullify or impair the rights and freedoms of individuals. The aim of this amendment is to protect and compensate all individuals and groups who, because of some type of prejudice or structural condition, have been placed at a disadvantage.

112. On 26 November 2002, the federal Government proposed the Federal Act to Prevent and Eliminate Discrimination, which was adopted unanimously and published in the Official Gazette on 11 June 2003. This Act gave rise to the establishment of the National Council for the Prevention of Discrimination (CONAPRED), which formally came into being on 27 March 2004, as the federal agency responsible for implementing non-discrimination policy throughout the country. In 2014, significant amendments were introduced in order to enhance protection of the right to non-discrimination in relation to complaints procedures, equality measures, the duties of the three branches of government, reparation measures and other matters.

113. The Federal Act to Prevent and Eliminate Discrimination contains provisions aimed at preventing and eliminating all forms of discrimination and promoting equality of opportunity and treatment. It also lists the conduct considered to be discriminatory and sets out the equalizing, inclusion and affirmative action measures that should be taken by federal authorities and the institutions under their oversight or jurisdiction in order to ensure universal enjoyment of true equality of opportunity and the right to non-discrimination. On 20 May 2014, a decree amending, supplementing and repealing various provisions of the Act was published in the Official Gazette. The amendments harmonized the complaints procedure with a view to ensuring consistency in the actions taken in response to discriminatory acts committed by public servants and private citizens. They also introduced new provisions to strengthen the legal framework for equality and non-discrimination.

114. The Act defines discrimination as any distinction, exclusion, restriction or preference, committed by act or omission, with or without intent, which is not objective, rational or proportional and whose purpose or effect is to hinder, restrict, prevent, impair or nullify the recognition, enjoyment or exercise of human rights and freedoms on one or more of the following grounds: ethnic or national origin; skin colour; sex; gender; age; disability; social, economic, health or legal status; religion; physical appearance; genetic traits; migration status; pregnancy; language; opinions; sexual preferences; political identification or affiliation; marital status; family situation; family responsibilities; criminal record; or any other characteristic. Homophobia, misogyny, any form of xenophobia, racial segregation, anti-Semitism, racial discrimination and other related forms of intolerance are also considered discrimination.

115. Other recent legislation has reaffirmed the principles of non-discrimination set forth in the Constitution and the Act.

116. Following the addition of article 1 (3) to the Constitution in 2001, a number of federative entities have amended their constitutions to expressly prohibit discrimination or establish the right to equality.

117. Currently 31 federative entities have anti-discrimination laws[31] and 25 expressly prohibit discrimination in their constitutions.

State anti-discrimination laws

No.	*Federative entity*	*Title of the law*	*Publication date*
1	Aguascalientes	Act on the Prevention and Elimination of Discrimination in the State of Aguascalientes	23 April 2012
2	Baja California	Act on the Prevention and Elimination of Discrimination in the State of Baja California	31 August 2012
3	Baja California Sur	State Act on the Prevention and Elimination of Discrimination in the State of Baja California Sur	31 December 2006
4	Campeche	Act on Preventing, Combating and Penalizing all Forms of Discrimination in the State of Campeche	4 July 2007
5	Chiapas	Act on Preventing and Combating Discrimination in the State of Chiapas	3 April 2009
6	Chihuahua	Act on the Prevention and Elimination of Discrimination in the State of Chihuahua	7 July 2007
7	Mexico City (Federal District)	Act on the Prevention and Elimination of Discrimination in the Federal District	19 July 2011
8	Coahuila	Act on the Promotion of Equality and the Prevention of Discrimination in the State of Coahuila de Zaragoza	24 August 2007
9	Colima	Act on Preventing, Combating and Eliminating Discrimination in the State of Colima	14 June 2008
10	Durango	State Act on the Prevention and Elimination of Discrimination	24 December 2009
11	Guanajuato	Act on Preventing, Addressing and Eliminating Discrimination in the State of Guanajuato	27 June 2014
12	Guerrero	Act No. 375 on the Prevention and Elimination of Discrimination in the State of Guerrero	20 February 2016
13	Hidalgo	Act on Preventing, Addressing, Penalizing and Eliminating Discrimination in the State of Hidalgo	8 April 2013

[31] Aguascalientes, Baja California, Baja California Sur, Campeche, Chiapas, Chihuahua, Coahuila, Colima, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, Mexico City, Mexico (state), Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tamaulipas, Tabasco, Tlaxcala, Veracruz, Yucatán, Zacatecas.

No.	*Federative entity*	*Title of the law*	*Publication date*
14	Jalisco	Act on the Promotion of Equality and the Prevention and Elimination of Discrimination in Jalisco	17 December 2015
15	Mexico State	Act on Preventing, Combating and Eliminating Acts of Discrimination in Mexico State	29 September 2007
16	Michoacán	Act on the Prevention and Elimination of Discrimination and Violence in the State of Michoacán de Ocampo	2 January 2009
17	Morelos	Act on the Prevention and Elimination of Discrimination in the State of Morelos	14 August 2015
18	Nayarit	Act on the Prevention and Elimination of Discrimination in the State of Nayarit	10 December 2005
19	Oaxaca	Act on Addressing, Preventing and Eliminating Discrimination in the State of Oaxaca	9 December 2013
20	Puebla	Act on the Prevention and Elimination of Discrimination in the Free and Sovereign State of Puebla	27 November 2013
21	Querétaro	Act on the Prevention and Elimination of All Forms of Discrimination in the State of Querétaro	30 August 2012
22	Quintana Roo	Act on Preventing, Addressing and Eliminating Discrimination in the State of Quintana Roo	31 December 2012
23	San Luis Potosí	Act on the Prevention and Eradication of Discrimination in the State of San Luis Potosí	19 September 2009
24	Sinaloa	Act on the Prevention and Elimination of Discrimination in the State of Sinaloa	3 July 2013
25	Sonora	Act on Preventing, Combating and Eliminating Acts of Discrimination in the State of Sonora	24 November 2014
26	Tamaulipas	Act on the Prevention and Elimination of Discrimination in the State of Tamaulipas	29 December 2004
27	Tlaxcala	Act on the Prevention and Elimination of Discrimination in the State of Tlaxcala	6 December 2013
28	Tabasco	Act on the Prevention and Elimination of Discrimination in the State of Tabasco	14 May 2016

No.	*Federative entity*	*Title of the law*	*Publication date*
29	Veracruz	Act on the Prevention and Elimination of Discrimination in the State of Veracruz de Ignacio de la Llave	16 August 2013
30	Yucatán	Act on the Prevention and Elimination of Discrimination in the State of Yucatán	6 July 2010
31	Zacatecas	Act on the Prevention and Elimination of All Forms of Discrimination in the State of Zacatecas	29 July 2006

118. As of the third quarter of 2016, the criminal legislation of 31 federative entities[32] prohibited racial discrimination.[33]

119. Concerning affirmative action, the State has the obligation to introduce mechanisms designed to uphold the rights of and rectify the wrongs suffered by people who have historically been marginalized or discriminated against. Chapter 3 of the Federal Act to Prevent and Eliminate Discrimination details the State's duties with regard to ensuring equal opportunities for specific vulnerable groups.

120. These amendments have brought the Act into line with relevant international treaties and established the obligation of the three branches of government and the autonomous bodies to design and implement measures to promote equality, inclusion and affirmative action for groups facing discrimination.

121. The National Programme for Equality and Non-Discrimination 2014-2018,[34] which sets out the anti-discrimination policy of the Mexican State, was published in the Official Gazette on 1 May 2014. The Programme includes specific lines of action for agencies of the federal administration for the purpose of reviewing, amending, aligning and strengthening their rules and practices to eliminate regulatory and administrative provisions that encourage or tolerate discriminatory practices and to ensure equal treatment and equal opportunities for all.

[32] Only the State of Nuevo León lacks such legislation.

[33] The elements of racial discrimination enumerated in article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination were taken into account, namely: any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

[34] Available at: http://www.conapred.org.mx/userfiles/files/Pronaid_Hechz_INACCSS.pdf.